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13. ABSTRACT (Maximum 200 Words) <p>This Instruction supersedes Assistant Secretary of Defense (Personnel and Readiness) Memorandum, "Teacher and Teacher's Aide Placement Assistance Program," January 19, 1994. It implements Sections 1151, 1598, and 2410j of Title 10, United States Code, by implementing policy, assigning responsibilities, and prescribing procedures for assisting separated members of the Armed Forces, terminated civilian employees of the Department of Defense and the Department of Energy (DoE), and displaced scientists and engineers of defense contractors or subcontractors, when those personnel meet the requirements of this Instruction, with obtaining certification and employment as elementary or secondary school teachers or the necessary credentials and employment as teachers' aides.</p>			
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Department of Defense INSTRUCTION

July 27, 1995
NUMBER 1404.13

ASD(FMP)

SUBJECT: Teacher and Teacher's Aide Placement Assistance Program (Troops to Teachers)

- References:
- (a) Assistant Secretary of Defense (Personnel and Readiness) Memorandum, "Teacher and Teacher's Aide Placement Assistance Program," January 19, 1994 (hereby canceled)
 - (b) Sections 1142, 1151, 1598, and 2410j of title 10, United States Code
 - (c) Section 2701 *et seq.* of title 20, United States Code
 - (d) Section 1087*ll* of title 20, United States Code
 - (e) through (h), see enclosure 1

A. PURPOSE

This Instruction:

1. Supersedes reference (a).
2. Implements Sections 1151, 1598, and 2410j of reference (b) by implementing policy, assigning responsibilities, and prescribing procedures for assisting separated members of the Armed Forces, terminated civilian employees of the Department of Defense and the Department of Energy (DoE), and displaced scientists and engineers of defense contractors or subcontractors, when those personnel meet the requirements of this Instruction, with obtaining certification and employment as elementary or secondary school teachers or the necessary credentials and employment as teachers' aides.

B. APPLICABILITY AND SCOPE

This Instruction applies to:

1. The Office of the Secretary of Defense, the Military Departments, the Chairman of the Joint Chiefs of Staff, the Unified Combatant Commands, the Inspector General of the Department of Defense, the Defense Agencies, and the DoD Field Activities.
2. Eligible personnel of the DoE and defense contractors.

C. POLICY

It is DoD policy to establish programs to assist personnel separated from the Department of Defense, especially those affected by the downsizing, to obtain certification and employment as teachers or employment as teachers' aides.

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D. DEFINITIONS

Terms used in this Instruction are defined in enclosure 2.

E. RESPONSIBILITIES

1. The Assistant Secretary of Defense for Force Management Policy, under the Under Secretary of Defense for Personnel and Readiness, shall monitor compliance with this Instruction and shall:

- a. Identify program needs and provide program direction.
- b. Provide liaison and coordination with educational agencies and school officials.
- c. Oversee and support the funding of this program and ensure compliance with this Instruction.
- d. In consultation with the Secretary of Education, conduct a survey of States to identify those States that have alternative certification or licensure requirements for teachers, including those States that grant credit for service in the Armed Forces towards satisfying certification or licensure requirements for teachers.
- e. Periodically request information from States identified under paragraph E.1.d. above, to identify in these States those Local Educational Agencies (LEAs) that are receiving grants under Chapter 1, Section 2701 et seq. of 20 U.S.C. (reference (c)) and are experiencing a shortage of qualified teachers, in particular a shortage of science, mathematics, or engineering teachers.
- f. Periodically request information from all States to identify LEAs that are receiving grants under Chapter 1 of reference (c) and are experiencing a shortage of teachers' aides.

2. The Secretaries of the Military Departments shall:

- a. Ensure that separating Service members are informed about the subject program during pre-separation counseling conducted under 10 U.S.C. 1142 (reference (b)). The information provided to members shall identify States that have alternative certification or licensure requirements for teachers, including those States that grant credit for service in the Armed Forces toward satisfying such requirements, and indicate those LEAs identified under paragraph E.1.e., above.
- b. Ensure that installation education centers will, upon request, provide information and counseling on teacher training and certification, including alternative certification requirements.
- c. Ensure that terminating civilian employees are informed about the subject program during pre-separation interviews by installation and activity civilian personnel officers.

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d. Ensure that personnel management offices inform all noncommissioned officers, including those who have the potential to perform as elementary or secondary school teachers, who will reach 10 years of service during each ensuing fiscal year, but who do not satisfy the minimum degree requirement to qualify for the program, of the opportunity to qualify for the program by satisfying the minimum degree requirement within 5 years after discharge or release from active duty and applying for the program within 1 year thereafter.

3. The Secretary of the Navy shall, as Executive Agent for the Defense Activity for Non-Traditional Education Support (DANTES), ensure that DANTES is provided assistance and support in meeting its responsibilities in support of this program.

F. PROCEDURES

Procedures are in enclosure 3.

G. EFFECTIVE DATE

This Instruction is effective immediately.


F. Pang
Assistant Secretary of Defense
(Force Management Policy)

Enclosures - 3

1. References
2. Definitions
3. Procedures

REFERENCES, continued

- (e) DoD 7000.14-R, "Department of Defense Financial Management Regulation," Volume 5, "Disbursing Policy and Procedures," December 1993, authorized by DoD Instruction 7000.14, November 15, 1992
- (f) Sections 1174a, and 1175 of title 10, United States Code
- (g) Section 1293 of title 10, United States Code, note
- (h) Section 5597 of title 5, United States Code

DEFINITIONS

1. Alternative Certification. State or local teacher certification or licensure requirements that permit a demonstrated competence in appropriate subject areas gained in careers outside of education to be substituted for traditional teacher preparation course work.
2. Armed Forces. Army, Navy, Air Force, and Marine Corps.
3. Eligible Defense Contractors or Subcontractors. Those defense contractors or subcontractors that have applied and have been selected using criteria established in 10 U.S.C. 2410j (reference(b)), and this Instruction, and meet the following criteria:
 - a. Produce goods or services for the Department of Defense pursuant to a defense contract or operate nuclear weapons manufacturing facilities for the DoE.
 - b. Have recently reduced operations, or are likely to reduce operations, due to the completion or termination of a defense contract or program or by reductions in defense spending.
4. Eligible Local Educational Agency(LEA). A local school jurisdiction that normally hires teachers, is located in a State offering an alternative program for teacher certification, is receiving grants under 20 U.S.C. 2701 et seq. (reference (c)) as a result of having within its jurisdiction a concentration of children from low-income families, and has been identified by its State as experiencing a shortage of qualified teachers. The local school jurisdiction shall be willing to enter into an agreement with the Department of Defense to employ a certified program participant for not fewer than 5 consecutive years in a school within its jurisdiction serving a concentration of children from low-income families. Priority for grants under this program shall be given to those LEAs that receive concentration grant funds under reference (c). (Concentration grant funds are provided by the Department of Education to LEAs in which at least 15 percent of the students qualify for free or reduced lunch.)
5. Eligible Personnel. Service members, civilian employees of the Department of Defense and the DoE, and defense contractor employees who meet the specific requirements identified in paragraphs 5.a. through c. of this definition below. All persons selected shall have a baccalaureate or advanced degree (associate degree or higher for teacher's aide applicants) from an accredited institution of higher learning and, if selected, shall be willing to agree to obtain certification or licensure as an elementary or secondary school teacher or teacher's aide and to accept an offer of full-time employment as an elementary or secondary school teacher or teacher's aide for not fewer than 5 school years in a school that serves a concentration of children from low-income families.
 - a. Eligible Service Members. Members of the Armed Forces who during the 9-year period beginning on October 1, 1990, are discharged or released from active duty after 6 or more years of continuous active duty immediately before discharge or release, and are not discharged or released from service under other than honorable conditions. Application must be made within 1 year after discharge or release, except that Service members whose date of discharge or release is on or after October 1, 1990, but before January 19, 1994, shall apply by October 5, 1995. Service members who do not meet the degree requirements for selection at the time of discharge shall be considered to be eligible upon satisfying degree requirement within 5 years after discharge from active duty. In such case, former Service members must make application within 1 year after earning the applicable degree.

b. Eligible Civilian Government Employees. Full-time civilian employees of the Department of Defense or the DoE who have served at least 5 years in a civil service position and who during the 5-year period beginning October 1, 1992, are terminated from Government employment as a result of reductions in defense spending or the closure or realignment of a military installation as determined by the Secretary of Defense or the Secretary of Energy. Application must be made after receipt of a notice of termination, but not later than 1 year following termination of employment.

c. Eligible Contractor or Subcontractor Employees. Scientists or engineers whose employment is terminated (or who have received notice of termination) as a result of the completion or termination of a defense contract or program, or reductions in defense spending. The individuals must have been employed for not fewer than 5 years as a scientist or engineer with a private defense contractor that has entered into a cooperative agreement with the Department of Defense to help support the program, including payment of 50 percent of the stipend provided to the contractor employee selected for assistance.

6. Grant. Funding provided to a LEA to offset the basic salary of a program participant during 5 consecutive years of employment. Assuming employment begins at the beginning of a school year, a grant shall be paid in 5 installments in accordance with the following schedule:

First Year - 50 percent of basic salary not to exceed \$25,000

Second Year - 40 percent of basic salary not to exceed \$10,000

Third Year - 30 percent of basic salary not to exceed \$ 7,500

Fourth Year - 20 percent of basic salary not to exceed \$ 5,000

Fifth Year - 10 percent of basic salary not to exceed \$ 2,500

Installments shall be payable, consistent with the written agreement between the LEA and the Department of Defense, after the end of each school year within 30 days after the LEA certifies to the Department of Defense the basic salary paid to the employee during the past school year.

7. Stipend. The lesser of \$5,000 or the total costs of the type described in 20 U.S.C. 1087ll (reference (d)) incurred by a selected program participant while obtaining certification. These costs include the cost of tuition, fees, and books.

PROCEDURES

1. The Secretary of the Navy, as Executive Agent for DANTES, shall ensure that DANTES executes the program by:
 - a. Issuing procedural guidance implementing this Instruction, as necessary.
 - b. Preparing and distributing information, forms, and publications.
 - c. Selecting participants based upon criteria established by Sections 1151, 1598, and 2410j of 10 U.S.C. (reference (b)), and this Instruction.
 - d. Receiving and evaluating, and approving or denying applications for stipends based on criteria consistent with Sections 1151, 1598, and 2410j of reference (b); 20 U.S.C. 1087ll (reference (d)); and this Instruction.
 - e. Receiving and evaluating applications for grants and making awards, based on criteria consistent with Sections 1151, 1598, and 2410j of reference (b); 20 U.S.C. 2701 *et seq.* (reference (c)); and this Instruction, to eligible LEAs that agree to employ program participants.
 - f. As necessary and authorized, entering into agreements with other governmental and non-governmental entities, stipend awardees, and LEAs eligible to participate in the program.
 - g. Establishing and maintaining a file on applicants applying under this Instruction and tracking actions taken with regard to each applicant.
 - h. Establishing and maintaining a file on each LEA, private defense contractor, State, local government, or nongovernmental entity that seeks to enter into an agreement with the Department of Defense in connection with this program.
 - i. In accordance with Chapter 10 of Volume 5 of DoD 7000.14-R (reference (e)), coordinating with the servicing office of the Defense Finance and Accounting Service to collect debts owed the Department of Defense resulting from failure to comply with agreements made about the use of stipends given to program participants or grants made to LEAs.
 - (1) DANTES shall collect from personnel participating in this program if the participant in the placement program fails to obtain teacher certification or licensure, employment as an elementary or secondary school teacher or teacher's aide, voluntarily leaves, or is terminated for cause during the 5 years of required service. The participant shall be required to reimburse the Secretary of Defense for any stipend paid to the participant in the same ratio to the amount of the stipend as the unserved portion of required service bears to the 5 years of required service, except as provided in paragraph 6.c. of this enclosure below.
 - (2) DANTES shall collect from LEAs an amount that bears the same ratio to the total amount already paid under the agreement as the unserved portion of required service bears to the 5 years of required service for participants that leave the employment of the LEA before the end of the 5 years of required service.

- j. Maintaining data on this program and providing reports to Assistant Secretary of Defense for Force Management Policy through the Secretary of the Navy, as executive agent, quarterly.
2. Information about the program and those States that have alternative certification or licensure requirements for teachers shall be provided to Service members and employees as part of pre-separation counseling.
3. Eligible Service members shall apply for participation in the program not later than 1 year after the date of discharge or release, except that eligible Service members whose date of discharge or release is on or after October 1, 1990 but before January 19, 1994, shall apply by October 5, 1995. Service members who are not eligible on their date of separation because they do not meet the degree requirements required to participate in the program, but who earn an applicable degree within 5 years after separation, shall apply not later than 1 year after earning such a degree. Service members are also encouraged to register in the Public Community Service Registry their interest in pursuing employment as an elementary or secondary school teacher or teacher's aide. Information about the Registry is provided during pre-separation counseling as part of the transition assistance program.
4. Eligible DoD or DoE civilian employees shall apply after they have received written notice of termination of employment, but not later than 1 year following the date of such termination. DANTES shall provide program information to civilian personnel offices that will allow civilian personnel offices to make an initial determination of eligibility and refer interested employees to installation education centers for program information and to DANTES for selection purposes.
5. Applications shall be screened upon receipt. Those that are complete will be evaluated soon as possible after receipt. Action on incomplete applications will be deferred other than to notify applicants that additional information is required. DANTES shall notify applicants of their status within 15 days of receipt of their application. The following criteria shall be used in selecting participants:
 - a. Is the applicant willing to work as a teacher or teacher's aide in an elementary or secondary school that serves a concentration of children from low-income families? All selectees must meet this criteria.
 - b. Does the applicant have educational, military, or employment experience in science, mathematics, or engineering and agree to seek employment teaching science, mathematics, or engineering? In accordance with Sections 1151, 1598, and 2410j of 10 U.S.C. (reference (b)), priority for selection is given to applicants who meet these criteria.
 - c. Is the applicant particularly likely to serve as a positive role model in the kinds of schools that are eligible to participate in this program? Is the applicant bilingual?
 - d. Does the applicant have educational, military, or employment experience in English, history, geography, foreign language, the arts, or special education and agree to seek employment teaching these subjects or working with special education students?

6. Selected participants, if eligible, may be provided a stipend to offset costs of the type described in 20 U.S.C. 1087*ll* (reference (c)) that are incurred by the participant while obtaining alternative certification or licensure to teach or necessary credentials to serve as a teacher's aide. Costs covered include tuition, fees, and books.

a. A stipend shall not be paid to any Service member who is entitled to the special separation benefit under 10 U.S.C. 1174a (reference (f) or the Voluntary Separation Incentive under Section 1175 of reference (f), or who is given early retirement under 10 U.S.C. 1293 note (reference (g)).

b. A stipend shall not be paid to any civilian employee selected to participate in the placement program who receives separation pay under 5 U.S.C. 5597 (reference (h)).

c. If a participant who has received a stipend fails to obtain certification or employment as a teacher or teacher's aide, or voluntarily leaves or is terminated for cause from employment during the 5 years of required service, the participant shall reimburse the Department of Defense for any stipend paid in an amount that is a prorated share based on the unserved portion of required service as provided in subparagraph 1.i.(1), above, of this enclosure. However, a participant shall be excused from the reimbursement requirement if the participant:

(1) Is pursuing a full-time course of study related to the field of teaching at an eligible institution;

(2) Is serving on active duty as a member of the Armed Forces;

(3) Is temporarily totally disabled for a period of time not to exceed 3 years as established by sworn affidavit of a qualified physician;

(4) Is unable to secure employment for a period not to exceed 12 months by reason of the care required by a spouse who is disabled; or

(5) Is seeking and unable to find full-time employment as a teacher or teacher's aide in an elementary or secondary school for a single period not to exceed 27 months.

7. Participants shall seek employment as elementary or secondary school teachers or teachers' aides in eligible LEAs.

8. LEAs interested in hiring a program participant may request a list of candidates from DANTES. DANTES shall provide such LEAs with a list of participants who have expressed an interest in working in the geographical area in which the LEA is located.

9. Upon hiring a program participant, an LEA that wishes to enter into an agreement to receive a grant shall notify DANTES in writing. DANTES shall offer to enter into an agreement with the first eligible LEA that employs the participant as a full-time elementary or secondary school teacher or teacher's aide after the participant obtains necessary credentials. Under such agreements, DANTES shall provide a grant to LEAs that agree to hire program participants for not fewer than 5 consecutive school years to serve in a school that serves a concentration of children from low-income families. If employment is terminated by either the participant or the LEA before the end of the 5 years of required service, the grant shall be adjusted, as prescribed in this Instruction, and any excess paid will be reimbursed to the Department of Defense under guidance prescribed by DANTES.

10. Participants may not be accepted to receive stipends nor agreements made with LEAs to provide grants unless sufficient appropriations are available to support the obligations that may be incurred.